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Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: SYDNEY BETHEL, PLANNER II *SB*
(480) 503-6721, SYDNEY.BETHEL@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *CL*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: AUGUST 7, 2019

SUBJECT: A. GP19-02 , SPRINGS AT COOLEY STATION: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 15.27 GROSS ACRES GENERALLY LOCATED EAST OF THE NORTHEAST CORNER OF RECKER AND WILLIAMS FIELD ROADS FROM VILLAGE CENTER (VC) TO RESIDENTIAL > 14-25 DU/ACRE.

B. Z19-06, SPRINGS AT COOLEY STATION: REQUEST TO REZONE APPROXIMATELY 15.27 GROSS ACRES OF REAL PROPERTY GENERALLY LOCATED EAST OF THE NORTHEAST CORNER OF RECKER AND WILLIAMS FIELD ROADS FROM GATEWAY VILLAGE CENTER (GVC) ZONING DISTRICT TO MULTI-FAMILY/MEDIUM (MF/M) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STRATEGIC INITIATIVE: Exceptional Built Environment

To allow for a General Plan amendment and Rezoning to accommodate a multi-family, higher density development within the Cooley Station area.

RECOMMENDED MOTION

- A. Move to recommend to Town Council approval of GP19-02, a Minor General Plan Amendment; and
- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z19-06, as requested, subject to the conditions listed in the staff report.

APPLICANT

Company: Continental 472 Fund LLC
Name: Eric Gumm
Address: W134 N8675 Executive Parkway
Menomonee Falls, WI 53051
Phone: (262) 532-9332
Email: egumm@cproperties.com

OWNER

Company: Fred's Place LLC
Name: Fred Gieszl
Address: 9402 S. 157th Place
Gilbert, AZ 85234
Phone: (480) 632-7272
Email: info@circleg.com

BACKGROUND/DISCUSSION

History

Date	Description
<i>December 19, 2006</i>	Town Council adopted Annexation No. A05-03, Ordinance No. 1878, annexing 738 acres at Recker and Williams Field Roads.
<i>March 6, 2007</i>	The Town Council adopted Ordinance No. 1900 in case Z06-74 to rezone approximately 302 acres for the Cooley Station – Residential, Office and Shopping Center PAD.
<i>July 17, 2007</i>	The Town Council adopted Ordinance No. 1995 in case Z06-96 to rezone approximately 124.5 acres for the Cooley Station – Village and Business Center PAD.
<i>June 24, 2008</i>	The Town Council adopted Ordinance No. 2179 in case Z07-117 approving an amendment to approx. 300 acres in the Cooley Station – Residential, Office and Shopping Center PAD to revise several conditions of Ordinance No. 1900, modifying development standards for building and landscape setbacks, and revising the street exhibits.
<i>June 5, 2019</i>	The Planning Commission heard GP19-02 and Z19-06 as a Study Session item.

Overview

The applicant is requesting to change the existing land use classification and zoning for approximately 15.27 gross acres located east of the northeast corner of Recker and Williams Field Roads. The land use classification is proposed to change from Village Center (VC) to Residential > 14-25 DU/Acre with a rezoning request from Gateway Village Center (GVC) with a Planned Area Development (PAD) overlay to Multi-Family/Medium (MF/M) with a Planned Area Development (PAD) overlay.

The subject site is located within the village core of the Gateway Character Area and was annexed into the town in 2006 (A05-03) as part of the larger 738 acre Cooley Station area. Over the years, developers and staff have worked in tandem to foster a neo traditional inspired design and a distinct sense of place within the Cooley Station area. This emphasis on neo traditional design has the overarching goal of creating open neighborhoods with strong community connectivity as this area continues to develop. The project as proposed is a multi-family community with approximately 276 units and a density of 18 DU/Acres.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Residential > 8-14	Single Family-Detached (SF-D) with PAD	Single Family Homes (Fincher Fields)
South	Residential > 5-8	Single Family-Detached (SF-D) with PAD	Williams Field Rd. then Single Family Homes (Fulton Homes)
East	Residential > 14-25	Multi-Family/Medium (MF/M) with PAD	Vacant
West	Village Center (VC)	Gateway Village Center (GVC) with PAD	Vacant
Site	Village Center (VC)	Gateway Village Center (GVC) with PAD	Vacant (Small Office Building & Farm Equipment Storage)

General Plan

Cooley Station & Gateway Character Area

The Cooley Station area is located within the Gateway Character Area. Per the Town of Gilbert General Plan, the Gateway Character Area provides traditional village/neighborhood design concepts, which are reminiscent of the agrarian heritage of Gilbert. Additional concepts such as promoting pedestrian, bicycle and transit-oriented design are integrated into the policies, standards, and guidelines to support a denser, mixed used environment. By pursuing this combination of diverse elements, it supports the overall goal of integrating residential, commercial, and employment land uses to create a vibrant and unique community.

The proposed minor General Plan Amendment complies with the following Village Center Residential Design Policies included below:

10.2 Gateway Character Area, Village Center Residential Design Policies

- **Policy 1:** Develop a high quality residential environment within the Village Center to include lofts, townhouses, condominiums and apartments.
- **Policy 2:** Provide on-site amenities for residents, including swimming pools, recreational facilities, clubhouses and other services. Provide covered, private outdoor space for all units, where applicable.

- **Policy 5:** Encourage a minimum of ten (10%) percent of the residential sites for on-site open space and landscaping.

In addition to the General Plan's vision for the area, the Gateway Area streetscape guidelines and standards have been key in creating a built environment that contains walkable streetscapes, creating a more pedestrian friendly, urban feel that compliments the higher density development intended for the Village Center. Over the years, most of the streets and infrastructure have been constructed and the outside edges of the Cooley Station have developed with various residential styles. Residential homes now frame the Village Center, also referred to as the Village Core.

Land Use Classification

The existing land use classification for the subject site is Village Center (VC). In order to develop the property as proposed, the applicant is requesting a minor General Plan amendment to Residential > 14-25 DU/Acre for a multi-family project at a density of 18 DU/Acres.

The applicant believes they conform to the General Plan for the following reasons:

2.4 Land Use and Growth Areas

- **Vision Statement:** Deliver a mix of synergistic land uses that are appropriately located to promote employment opportunities while enhancing Gilbert's quality of life.
 - *Applicant Notes: A high-quality multi-family community on this site increases the attractiveness of nearby employment centers (i.e. Phoenix Mesa Gateway Airport (PGNA), the Power Road corridor, San Tan Village, etc.) by providing additional housing opportunities near existing and potential employment uses. This, in turn, will attract new employers and potentially support the creation of new jobs.*
- **Policy 1.1:** Maintain a balance of housing types and provide a variety of employment opportunities with easily accessible retail and service uses.
 - *Applicant Notes: Gilbert has one of the lowest per capita amount of multi-family housing units in the valley which employers and retailers rely on to invest into any community. This project will help maintain a better balance of land uses in the Town.*
- **Policy 1.3:** Encourage residential development that allows for a diversity of housing types for all age groups and is accessible to a range of income levels.
- **Goal 4.0:** Provide a diversity of quality housing types for a variety of lifestyles.
 - *Applicant Notes: The Springs at Cooley Station project will add a high-quality lifestyle housing opportunity that adds to Gilbert's inventory of housing diversity.*
- **Policy 4.1:** Provide an adequate supply of appropriately zoned land to accommodate a variety of future housing needs.
- **Policy 4.4:** High density housing is encouraged near large employment centers and/or transportation corridors.
 - *Applicant Notes: The Phoenix Mesa Gateway Airport (PGMA) is expected to be one of the largest employment centers in Arizona and there likely be a significant lack of housing opportunities at build under the current General Plan. The Springs at Cooley Station project will help address that long term need while also providing existing employers and retailers in the area with 276 more families to their benefit.*

- **Policy 7.1:** Balance traffic circulation needs with the goal of creating pedestrian-oriented neighborhoods and convenient employment/retail centers.
 - *Applicant Notes: This area of the Town was envisioned and planned for very intense development including multi-family residential densities up to 50 DU/acre. As such, a project with a density of 14-25 DU/acre will not adversely impact the lower density neighborhoods in the area.*

Rezoning

The applicant is requesting to rezone the subject site from Gateway Village Center (GVC) to Multi-Family/Medium (MF/M) to construct a multi-family development. The existing GVC zoning district permits residential loft above units to be constructed above ground floor non-residential uses or traditional ground floor multi-family may also be constructed with an approved Use Permit in the GVC zoning district. The applicant seeks to build a traditional multi-family development that includes ground floor units. In order to achieve their ultimate vision for the development, the applicant deemed that a rezoning to the MF/M zoning district as a more appropriate request to achieve their conventional ground floor multi-family development.

Development Plan

The project as proposed is a 276 unit for-rent apartment community with a mix of studio, one, two, and three bedroom units located within ten (10) buildings throughout the site. In addition to the residential building, an approximately 4,000 sf clubhouse is proposed. The intent of the project design is to allow some of the front doors to directly interface with the public streetscape and embrace a street-centric design. Vehicular access is provided off both Williams Field Road and Haskell Street, formerly Cooley Loop North. The project as proposed is not gated per the intent of the Gateway Character Area. Approximately 45 percent open space is proposed and is provided through several common landscape areas and green space around the large residential buildings.

Project Data Table (requested modifications are shown in bold)

Site Development Regulations	Required per LDC GVC	Required per LDC MF/M	Proposed MF/M PAD
Minimum Net Land Area per Unit (sq. ft.)	-	1,750 sf	2,410 sf
Maximum Height (ft.)	90'	40'	38'
Minimum Building Setbacks (ft.)			
Front	0'	30'	20'
Side (Multi-Family Residential)	0'	30'	15'
Side (Nonresidential)	0'	20'	35'
Rear (Residential)	20'	30'	20'
Minimum Perimeter Landscape Area (ft.)			
Front	-	20'	20'
Side (Multi-Family Residential)	-	20'	15'

Side (Nonresidential)	-	15'	20'
Rear (Residential)	-	20'	20'
Private Open Space	-	60 sf per unit	60 sf per unit
Community Open Space	5%	40%	45%
Fences (LDC 4.109.2.B)	-	A separation fence is required when a multi-family residential use is adjacent to a single family residential district or use or a nonresidential district or use.	A separation fence is only required on the west side of the site. A separation fence is not required on the north, south, or east sides of the subject site.
Street Right-of-Way Trees along Williams Field Road (TOG Gateway Area Right-of-Way Improvement Standards and Streetscape Design Guidelines 2.3)	-	24" box Sissoo trees are required along Williams Field Road within the Gateway Area.	Red Push Pistache or Evergreen Elm may be used in lieu of Sissoo along Williams Field Road.

Deviations

Building and Landscape Setbacks

As the above table identifies, there are a total of four (4) deviations from the MF/M zoning district development standards proposed. According to the applicant, the purpose of the proposed deviations to the required building and landscape setbacks is to allow the project to develop in a manner that reflects the design intent of both the Gateway Area and Cooley Station, by bringing the buildings closer to the perimeter of the project, especially the adjacent streets (front and rear) and sidewalk, resulting in a more urban look and feel. A street-centric design with the buildings facing and pulled to the street is highly encourage in the Cooley Station area and supported by staff. As stated in LDC 3.101.F, one of the purposes of a PAD overlay is to implement design and planning policies for development in the Gateway Character Area to support the unique vision for the area.

Fence and Streetscape Tree

There are an additional two (2) standards that are being requested to be modified; the first being a modification to the separation fence requirements and the second being a modification to the required street tree type along Williams Field Road. Per LDC 4.109.2.B, a separation fence is required when a multi-family residential use is adjacent to a single family residential district or use or a nonresidential district or use. The Gateway Character Area is a unique portion of the Town that fosters a neo traditional design that encourages openness between developments and the elimination of physical boundaries between places. The elimination of solid fences is an element that is highly encouraged within the Gateway Character Area and especially within the Village Center of the Cooley Station Area.

Per the TOG Gateway Area Right-of-Way Improvement Standards and Streetscape Design Guidelines, the street trees along Williams Field Road are required to be 24” Sissoo trees. Sissoo trees can become a nuisance due to the tree’s aggressive rooting and sprouting. Staff is currently exploring the modification of this standard through the text amendment Z18-08 but has not amended the code at this point in time. Red Push Pistache and Evergreen Elm are both tree types that can also be seen throughout the area and are not associated with the same issues as the Sissoo. This modification to the required streetscape tree will not greatly impact the character of the area and will lessen possible tree issues for the property in the future.

PLANNING COMMISSION STUDY SESSION COMMENTS, JUNE 5, 2019

The following comments were brought forth by Planning Commission (PC) members:

- Members of the Commission discussed the original vision for the Cooley Station Area and discussed how this residential project differs from the originally envisioned commercial development intended for this area. The timing of this development was discussed with some members feeling that the Town should wait for a development for the subject site that was more aligned with the commercial vision. They expressed that it may be too early to allow for a deviation from the intended vision for this site.
- Members of the Commission expressed their support for requested modifications that allowed this development to be designed in a manner that reflects the Cooley Station Area. They indicated that requested deviations that did not benefit the Town or the vision for the area would not be as easily supported.
- Members of the Commission discussed their support for higher density multi-family in the area for the fact that the increase in roof tops could spur the commercial development that is desired in this area. It was expressed though that this development should uphold the high design standard and the pedestrian oriented design that is expected within the rest of the Cooley Station Area.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on October 2, 2018 at Gateway Pointe Elementary School. Approximately nineteen (19) residents attended the meeting. The residents asked questions regarding the following:

- Details of the development including estimated rental price, unit design, and fencing.
- The level of access to Cooley Loop North, now Haskell Street, the proposed development would have. This included questions regarding the number of vehicular exits, pedestrian gates, and on-street parking. (*Note: The approved circulation plans and constructed concepts and character of the streetscapes must be maintained within Cooley Station. Access to Haskell and Williams Field are both required*)
- How this project aligns with the vision of the Village Core as this area was intended to be commercial not residential.

- Provisions to mitigate potential traffic problems from the new development.
- Considerations on how this development may impact the local schools and if the developer had started to involve the school district.
- General concerns regarding multi-family housing within the Town and the increased amount of multi-family developments within the area.
- How the project will be maintained after it is completed to ensure that it remains high quality rental housing.
- General concerns about how the new development could impact the existing resident's property values.

Staff has received no additional comment from the public.

SCHOOL DISTRICT

Efforts are being coordinated with the Higley Unified School District throughout the entitlement process with the applicant to ensure that adequate educational facilities are maintained for the neighborhood.

PHOENIX-MESA GATEWAY AIRPORT

The subject site is located within Airport Overflight Area (AOA) III and per Phoenix-Mesa Gateway Airport Authority, any development in this location due to its proximity to Phoenix-Mesa Gateway Airport will be subject to frequent aircraft overflights and will be affected by noise. Two (2) recommended conditions were provided from Phoenix-Mesa Gateway Airport Authority and have been included in the conditions of approval.

PROPOSITION 207

An agreement to "Waive Claims for Diminution in Value" pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town's strategic initiative for Community Livability. It supports the motto "Gilbert: Clean, Safe, Vibrant."

STAFF RECOMMENDATION

- A. Recommend to the Town Council approval of GP19-02, to change the land use classification of approx. 15.27 acres, generally located east of the northeast corner of Recker and Williams Field Roads from Village Center (VC) to Residential >14-25 DU/Acre; and
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z19-06 rezoning approx. 15.27 acres generally located east of the northeast corner of Recker and Williams Field Roads from Gateway Village Center (GVC) with a Planned Area Development (PAD) overlay to Multi-Family/Medium (MF/M) with a Planned Area Development (PAD) overlay, subject to the following conditions.
 - a. Dedication to Gilbert for Haskell Street right-of-way that is adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication of Haskell Street shall extend 30 feet from the monument line.
 - b. Construction of off-site improvements to Haskell Street adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any or building constructed on the Property or at the time requested by Gilbert, whichever is earlier.
 - c. Prior to issuance of the first building permit or at the time of recordation of the final plat, Developer shall enter into an agreement (Fred's Place), agreeing that Developer will reimburse Gilbert for the costs of design and construction of off-site improvements to Williams Field Road. Failure by Developer to execute said agreement may result in reversion of the zoning to the prior zoning classification.
 - d. Developer shall create a Property Owner's Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas, and landscaping within the rights-of-way. Maintenance responsibilities for common areas and open space areas shall be as required under the Land Development Code and in accordance with the Gilbert Town Code. Any modification to the maintenance obligations shall be approved by Gilbert and specified on the approved site plan or final plat.
 - e. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development

shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

LDC Development Standards	Development for Springs at Cooley Station PAD MF/M
Minimum Perimeter Building Setbacks (ft.)	
Front	20'
Rear (Residential)	20'
Side (Nonresidential)	15'
Minimum Perimeter Landscape Setbacks (ft.)	
Side (Nonresidential)	15'
Required Perimeter Separation Wall (LDC 4.109.A.2)	N/A Front, Rear and East Side

- f. Red Push Pistache or Evergreen Elm may be used in lieu of Sissoo along Williams Field Road.
- g. Developer shall set forth pedestrian, sidewalk, and landscape tracts abutting Williams Field and Haskell Street on the final plat.
- h. The maximum number of dwelling units shall be limited to the maximum allowed under the Gilbert General Plan.
- i. The following fair disclosure agreement and covenant, which would include the following disclosure, shall be recorded as a condition of development approval: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals. The mix of aviation activities and types of aircraft expected to be located and operate at the Airport now and in the future include: scheduled and unscheduled commercial charters, commercial air carriers and commercial air cargo operations, all of which are expected to use large commercial aircraft; general aviation activity using corporate and executive jets, helicopters, and propeller aircraft; aviation flight training schools using training aircraft; and military activity using high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes."
- j. Any proposed permanent, or temporary, structure is subject to an

FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sydney Bethel', written over a horizontal line.

Sydney Bethel
Planner II

Attachments and Enclosures:

- 1) Notice of Public Hearing
- 2) Aerial Photo
- 3) Land Use Exhibit
- 4) Zoning Exhibit
- 5) Development Plan
- 6) Legal Description
- 7) Haskell Street Cross Section
- 8) Neighborhood Meeting Summary
- 9) Minutes from PC Study Session of June 5, 2019

Notice of Public Hearing

GP19-02/Z19-06 Springs at Cooley Station
Attachment 1: Notice of Public Hearing
August 7, 2019

PLANNING COMMISSION DATE:
TOWN COUNCIL DATE:

Wednesday, August 7, 2019* TIME: 6:00 PM
Thursday, September 19, 2019* TIME: 6:30 PM

**LOCATION: Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296**

* Call Planning Department to verify date and time: (480) 503-6721

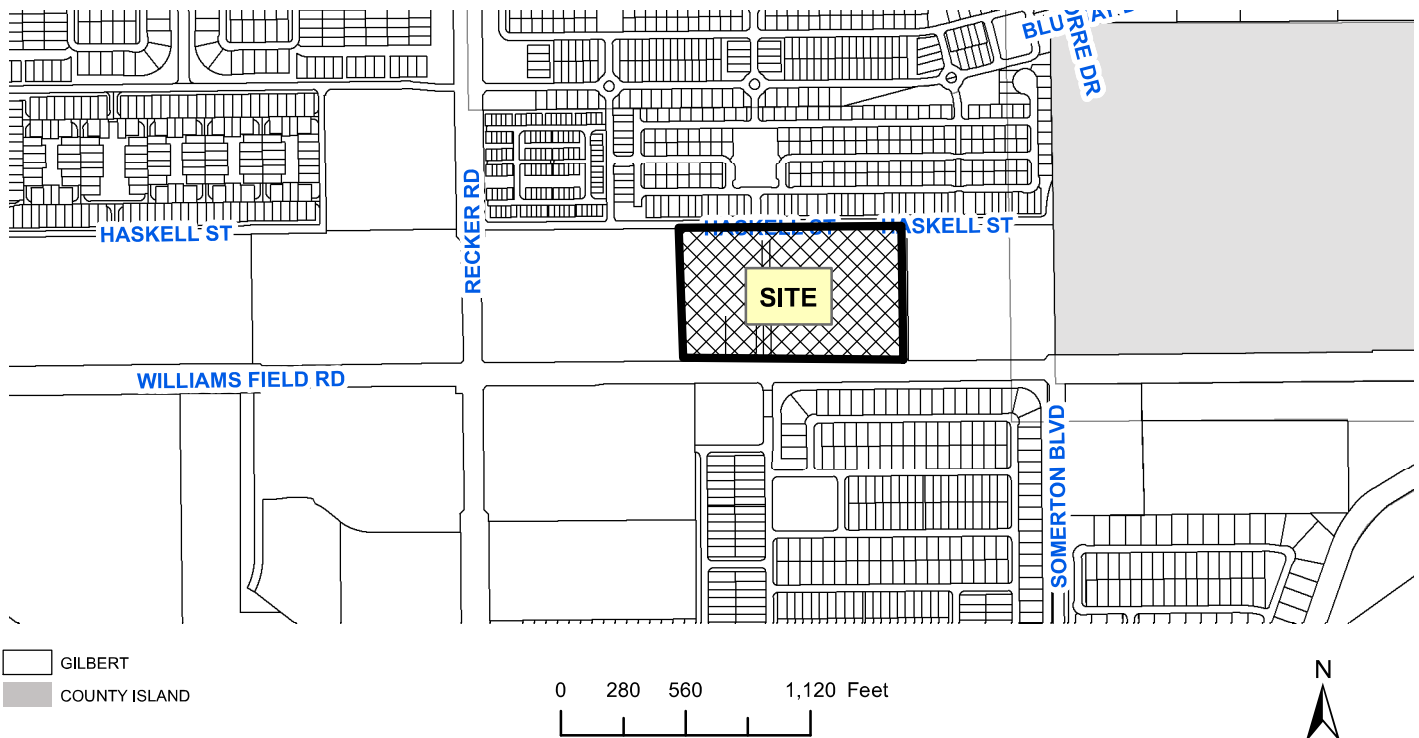
* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <https://www.gilbertaz.gov/departments/development-services/planning/planning-commission> and <https://www.gilbertdocs.com/gilbertagendaonline>

REQUESTED ACTION:

GP19-02 SPRINGS AT COOLEY STATION - Request for Minor General Plan Amendment to change the land use classification of approx. 15.27 gross acres generally located at Recker and Williams Field Roads from Village Center (VC) to Residential > 14-25 DU/Acre. The effect will be to allow residential development with modified development standards.

Z19-06 SPRINGS AT COOLEY STATION - Request to rezone approximately 15.27 gross acres of real property generally located at Recker and Williams Field Roads from Gateway Village Center (GVC) zoning district to Multi-Family/Medium (MF/M) zoning district with a Planned Area Development overlay zoning district (PAD). The effect will be to allow residential development with modified development standards.

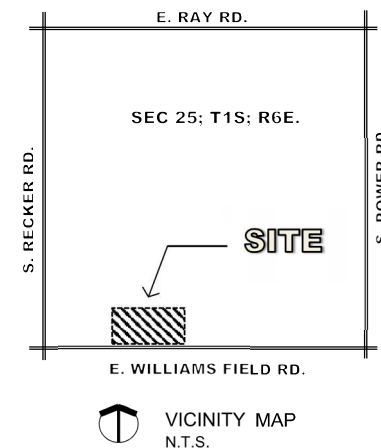
SITE LOCATION:



APPLICANT: Continental 472 Fund LLC
CONTACT: Eric Gumm
ADDRESS: W134 N8675 Executive Pkwy
Menomonee Falls, WI 53051

TELEPHONE: (262) 532-9332
E-MAIL: egumm@cproperties.com





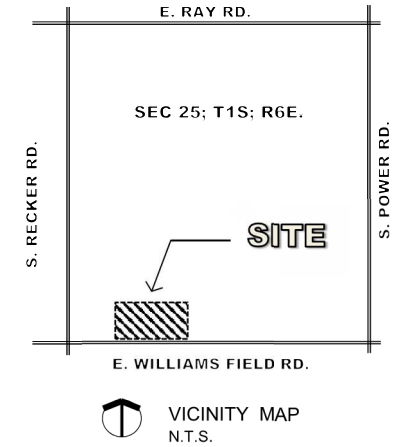
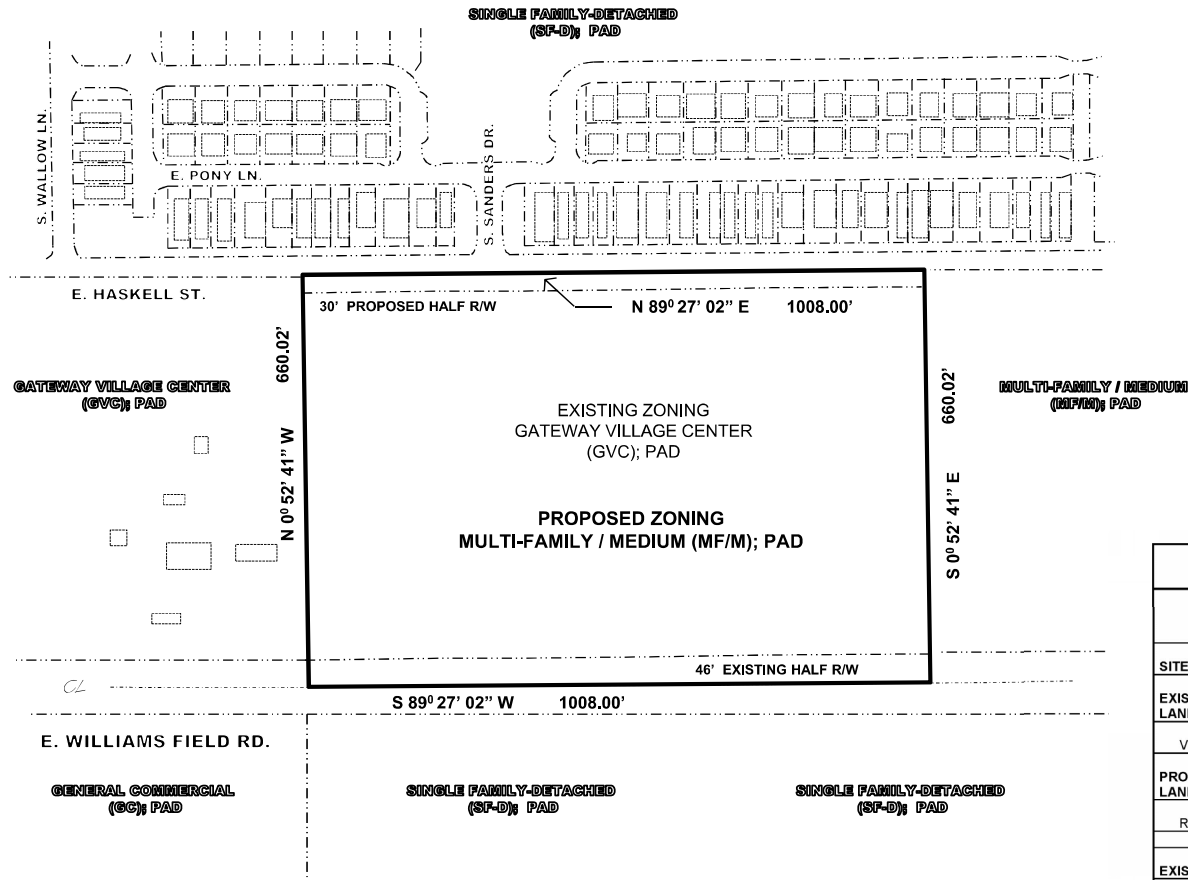
PROJECT DATA TABLE			
DESCRIPTION	ACREAGE (+/- GROSS)	ACREAGE (+/- NET)	PERCENTAGE GROSS AREA (%)
SITE AREA:	15.27	13.10	100
EXISTING GENERAL PLAN LAND USE CLASSIFICATION:			
VILLAGE CENTER (VC)	15.27	13.10	100
PROPOSED GENERAL PLAN LAND USE CLASSIFICATION:			
RESIDENTIAL > 14 – 25 DU/AC	15.27	13.10	100

ENTITLEMENTS:
IPLAN CONSULTING
3317 S. HIGLEY RD., STE. 114-622
GILBERT, AZ 85297
CONTACT: GREG DAVIS
V: (480) 227-9850



JUNE 06, 2019

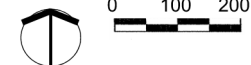
SPRINGS AT COOLEY STATION
GENERAL PLAN EXHIBIT
GILBERT, ARIZONA



PROJECT DATA TABLE			
DESCRIPTION	ACREAGE (+/- GROSS)	ACREAGE (+/- NET)	PERCENTAGE GROSS AREA (%)
SITE AREA:	15.27	13.10	100
EXISTING GENERAL PLAN LAND USE CLASSIFICATION:			
VILLAGE CENTER (VC)	15.27	13.10	100
PROPOSED GENERAL PLAN LAND USE CLASSIFICATION:			
RESIDENTIAL > 14 – 25 DU/AC	15.27	13.10	100
EXISTING ZONING:			
GATEWAY VILLAGE CENTER (GVC); PAD	15.27	13.10	100
PROPOSED ZONING:			
MULTI-FAMILY / MEDIUM (MF/M); PAD	15.27	13.10	100
DENSITY:	+/- 18.1 DU/Ac		

DEVELOPER CONTACT:
CONTINENTAL 472 FUND LLC
W134 N8675 EXECUTIVE PARKWAY
MENOMONEE WI 53051
CONTACT: ERIC GUMM

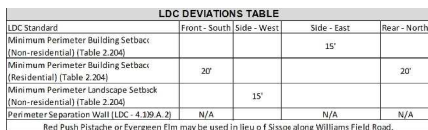
ENTITLEMENTS:
IPLAN CONSULTING
3317 S. HIGLEY RD., STE. 114-622
GILBERT, AZ 85297
CONTACT: GREG DAVIS
V: (480) 227-9850



JUNE 06, 2019



SPRINGS AT COOLEY STATION
ZONING EXHIBIT
GILBERT, ARIZONA



**LEGAL DESCRIPTION
CONTINENTAL 472
ZONING BOUNDARY**

July 1, 2019
Job No.2019-017
Page 1 of 1

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25,
TOWNSHIP 1 SOUTH, RANGE 6 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA
COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25 FROM WHICH THE
WEST QUARTER CORNER THEREOF BEARS NORTH 0 DEGREES 47 MINUTES 52
SECONDS WEST, A DISTANCE OF 2628.29 FEET;

THENCE NORTH 89 DEGREES 27 MINUTES 02 SECONDS EAST, ALONG THE SOUTH
LINE THEREOF, A DISTANCE OF 956.00 FEET TO THE **POINT OF BEGINNING**;

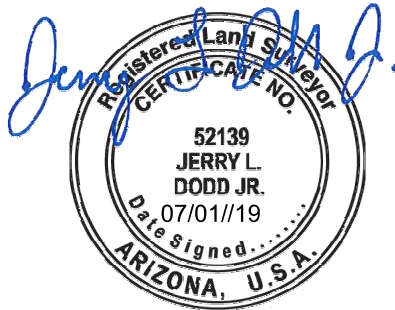
THENCE NORTH 0 DEGREES 52 MINUTES 41 SECONDS WEST, A DISTANCE OF 660.02
FEET;

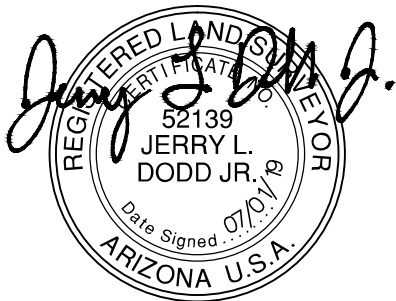
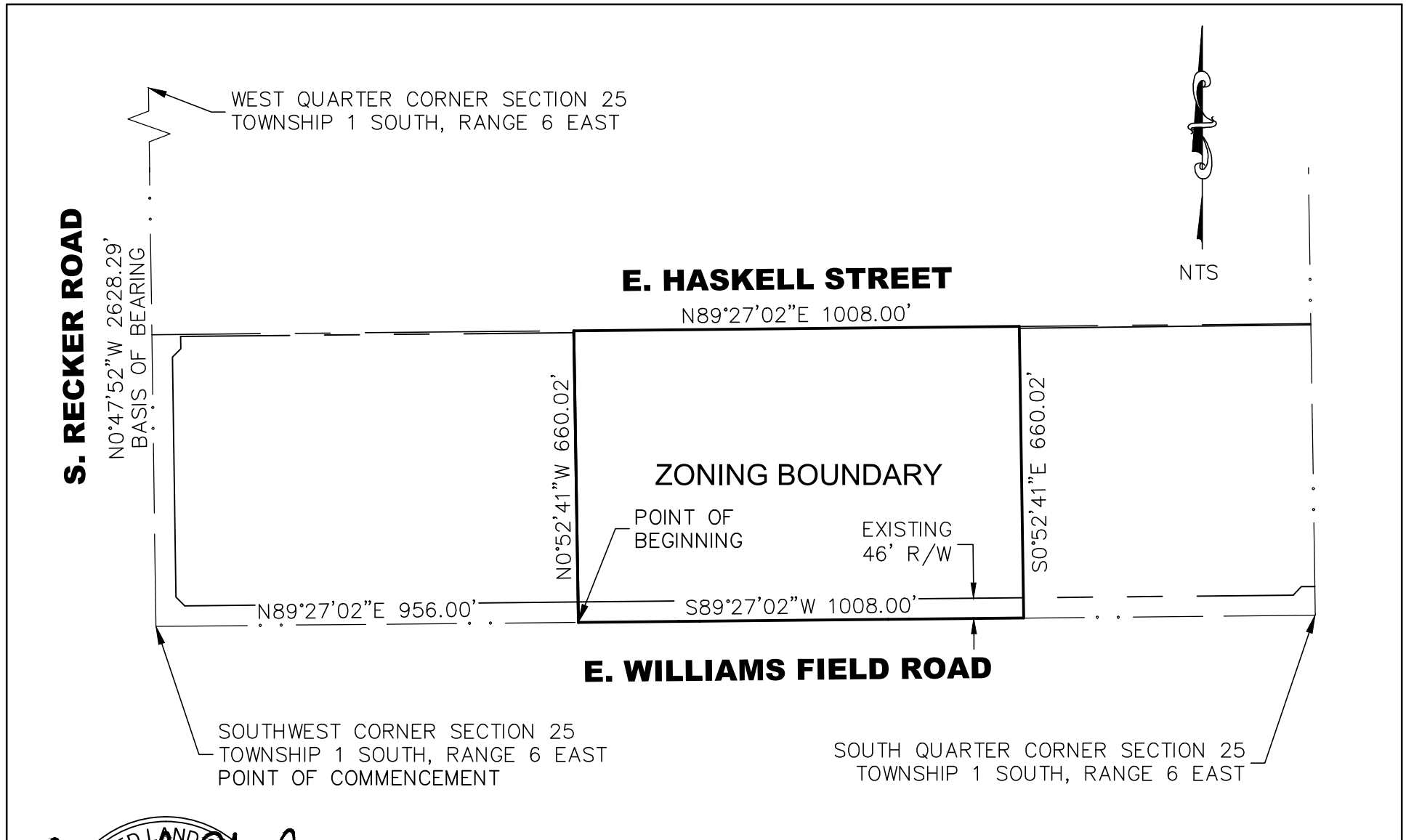
THENCE NORTH 89 DEGREES 27 MINUTES 02 SECONDS EAST, A DISTANCE OF 1008.00
FEET;

THENCE SOUTH 0 DEGREES 52 MINUTES 41 SECONDS EAST, A DISTANCE OF 660.02
FEET;

THENCE SOUTH 89 DEGREES 27 MINUTES 02 SECONDS WEST, A DISTANCE OF 1008.00
FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 665,288 SQUARE FEET OR 15.273 ACRES, MORE OR LESS.





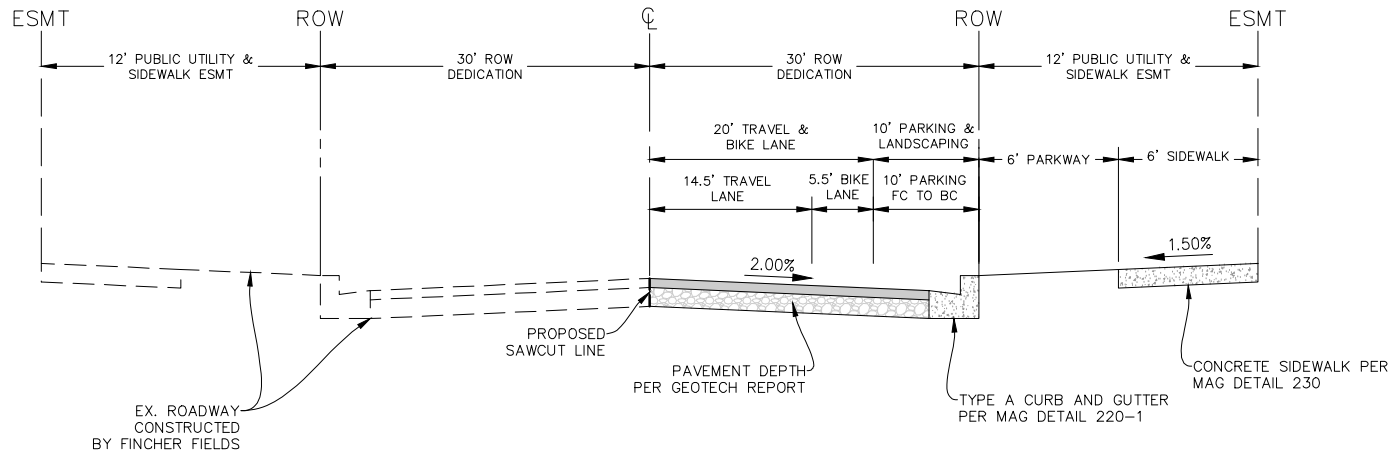
SIG
SURVEY INNOVATION
GROUP, INC

CONTINENTAL 472
ZONING BOUNDARY

Ph (480) 922 0780 **Land Surveying Services** Fx (480) 922 0781
22425 N. 16th ST., SUITE 1, PHOENIX, ARIZONA 85024

JOB# 19-017	DWG: 2019-017 EXHB	DATE: 07/01/19
SCALE: NTS	DRAWN: JLD	CHECK: JAS
		SHEET: 1 OF 1

LOOKING EAST



HASKELL STREET – TYPICAL SECTION* N.T.S.

*NOTE: MATCH EXISTING IMPROVEMENTS ON NORTH SIDE OF HASKELL STREET

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DATE	REVISIONS	DRAWN BY



SPRINGS AT COOLEY STATION			
TOWN OF GILBERT, ARIZONA			
HASKELL STREET - TYPICAL SECTION			
DRAWN BY:	DATE:	SCALE:	CODE:
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Springs at Gateway Neighborhood Meeting Summary:

Gateway Pointe Elementary School – October 02, 2018

Attendees:

Moderator: Greg Davis – Iplan Consulting
Developer: Eric Gumm – Continental Properties
Town: Sydney Bethel
Neighbors: See Sign-in Sheet

Meeting started at approximately 6:05PM.

Mr. Davis welcomed everyone to the meeting, explained the purpose of the meeting and introduced the developer team present at the meeting. Mr. Davis then explained the minor General Plan amendment, PAD rezoning, and Site Plan processes and the expected timeframes associated with each.

Mr. Gumm introduced himself and Continental Properties to the attendees and then walked everyone through the specifics of the proposed Site Plan and product planned for this site. Mr. Gumm and Mr. Davis then opened the meeting for questions and/or comments:

Q: Question

C: Concern

R: Response

Q: Will these units have balconies?

R: Mr. Gumm explained that yes, all units have an outdoor space which is a Town requirement. Those units on the first floor have patios while the 2nd story units have balconies.

Q: Will there be a fence along the north side of the project?

R: Mr. Gumm explained that yes, there will be a fence along the entire northern perimeter of the project.

Q: What are the rent amounts going to be...if you know?

R: Mr. Gumm related their initial figures of rents expected for the project which ranged from \$1,000 - \$2,000 a month depending on unit size.

Q: Will there be access to Cooley Loop?

R: Mr. Gumm explained that yes, two pedestrian gates are proposed that will require key access. The Town desires accessibility in this area.

Q: How will you monitor [prohibit] parking in our streets for your residents?

R: Mr. Gumm explained that they try to monitor that via providing ample parking on-site, but they cannot control people parking on public streets.



C: We would prefer no pedestrian access to the north to eliminate people using our neighborhood to park in.

R: Mr. Gumm stated that the Town does not require access, but they do prefer it. We will discuss this with them at our upcoming Pre-Application meeting.

Q: What will the north wall look like?

R: Mr. Gumm explained that they are planning for a wrought Iron view fence there.

Q: How long with you hold/own this property before selling?

R: Mr. Gumm explained that Continental tends to hold assets for a long period of time, 7 years or more in most cases.

Q: You mentioned the Town wanting pedestrian access, but where are they going now that the Village Center is no longer happening?

R: Mr. Davis explained that even though the Village Center concept was going away, there are still plans for commercial development at the intersection of Recker and Williams Field Road and that is why pedestrian connectivity is still needed.

Q: What is being done regarding Traffic as you are going to add several hundred more cars to an already congested region of the Town? Many of the area roads are [scaloped] and need to be widened before more people move into the area.

R: Ms. Bethel explained that the Town requires a Traffic Analysis for rezoning proposals so the Town Traffic Engineers will be able to assess the impact and determine what road improvements are needed.

R: Mr. Davis mentioned that the entire Cooley Station area had an existing Traffic Analysis that was in the process of being updated given the land use changes and the Town will have ample time to consider the numerous land use changes in the area prior to this project being before the Town Council for action.

Q: What is happening to the land to the west?

R: Mr. Davis explained that the current property owner is working with the Town to determine what the land uses for that area will be. It is expected to be a combination of commercial and potentially more residential but that is unknown at this time.

Q: What consideration is given for the schools in the area as they are already shuttling kids to other schools for special services?

R: Mr. Gumm explained that their projects typically generate very few school age children so impact to local schools is minimal. He anticipated this project would only generate 13-14 students.

R: Mr. Davis added that every rezoning proposal in the Town is sent to the school district for their input and they have the opportunity to inform the Town if there is a negative impact the project needs to address.



Q: What will the south side of Cooley Loop look like?

R: Mr. Gumm explained that the south half will mirror the north half with one lane and on-street parking bays.

R: Mr. Davis added that there will also be a wide sidewalk and then landscaping before the project's north wall. He estimated there would be 15-17 feet between the wall and the street side curbing.

Q: Will the area support more apartment projects? It seems there is a lot of them nearby.

R: Ms. Bethel explained that the Town has very little land set aside for multi-family projects but they are focused in a few areas of the Town which make it seem like a lot, especially given the recent market demand, but overall, there is a balance throughout the Town land uses.

C: I think there are too many apartment projects in the area.

R: This is a recent topic in the Town right now and we [Staff] are looking into it further to determine what is the best way for the Town to grow in a sustainable manner.

Q: Could this project be sold to a university for a dormitory?

R: Mr. Gumm explained that they would not even consider selling the project to a university and due to the cost/pricing structure, the university would not likely want it. Furthermore, our screening requirements basically eliminate students from becoming residents until after they graduate and start their career.

Q: Won't this project lower our property values?

R: Mr. Gumm explained that there have been numerous studies that prove that quality multi-family projects do not affect nearby single-family home values.

Q: How often do you build near universities?

R: Mr. Gumm explained that they don't do it often, but have several projects in university areas.

Q: How will be kept informed?

R: Mr. Gumm offered to hold a follow up meeting with the residents once their plans were more concrete.

R: Mr. Davis added that in addition to a second neighborhood meeting, the Town will hear these requests at least one Planning Commission hearing and at least one Town Council hearing which will provide additional opportunities for them to be informed and provide input.

Q: What prevents this project from becoming lower quality rental housing down the road?

R: Mr. Gumm explained that they own their projects for several years and if they do sell, it is to a trusted group of buyers/investors that follow their commitment to maintaining quality of the project.

R: Mr. Davis added that regardless of the future ownership, the Town will require the project to maintain the quality from when it was approved via the Zoning Compliance division of the Town's Planning Department...it is a serious issue for them.



Q: What is planned to the east?

R: Mr. Davis explained that the property immediately to the east, belonged to the University of North Dakota and they had originally planned to build student housing on that property, but no plans to do so have been submitted.

Q: What could be done to control the many parties that occur, even in these luxury apartment projects?

R: Mr. Gumm explained that they maintain a 24-hour Staff that can respond to complaints. He also stated they typically enlist one or more of their residents who may be law enforcement officers to help patrol the development and it has not been an issue in the past.

Q: What happens from here?

R: Mr. Davis explained that over the next couple of months, the development team will be refining the proposal and once they are confident the plan won't change much, will hold the second neighborhood meeting to update the area residents.

C: I am concerned about the amount of jobs for all these new people.

R: Ms. Bethel mentioned that the Town Staff is aware of this concern and will ask the Economic Development Department to weigh in on the issue.

C: I also think there are too many apartment projects being built in the area.

R: Ms. Bethel reiterated that the Town is aware of the issue and is tracking the amount of multi-family projects to determine the impact to the Town. She also reminded the group that the existing zoning allows more than double the amount of units proposed as the Town did target this area as a more dense node of the Town.

C: I bought here because I wanted to be close to the Village Center commercial and don't like that it is going away.

R: Mr. Davis echoed his disappointment about the new direction but did state that there would still be commercial development at Recker and Williams Field, just not in the amount originally hoped for by the land owners (and residents).

Seeing no other questions or comments, Mr. Davis adjourned the meeting and welcomed residents to come up and inspect the presentation exhibits.

Meeting adjourned at approximately 6:45PM.

~~and felt there was no reason to have anything there. He was in support of the project and felt it was on the right track, although there is more to be done through the Design Review. Given the information we have about Watermark and their national presence, he would be in support of this proposal going forward. A lot of the concerns can be resolved through the Design Review process. He was in support of the General Plan Amendment and the zoning change.~~

~~Chair Andersen noted on the north property line they are requesting a 10-foot building setback and on the south side they would stay with the 20 feet per the LDC.~~

~~It was Commissioner Cavenec's understanding that the only requested deviation was to the north property line setback and he felt that was fine with the 75-foot buffer to the city buildings.~~

~~There were no further comments from the Planning Commission.~~

3. GP19-02 SPRINGS AT COOLEY STATION: Request for Minor General Plan Amendment to change the land use classification of approx. 15.27 gross acres generally located at Recker and Williams Field Roads from Village Center (VC) to Residential > 14-25 DU/Acre.

Z19-06 SPRINGS AT COOLEY STATION: Request to rezone approximately 15.27 gross acres of real property generally located at Recker and Williams Field Roads from Gateway Village Center (GVC) zoning district to Multi-Family/Medium (MF/M) zoning district with a Planned Area Development overlay zoning district (PAD).

Planner Sydney Bethel presented the request for a Minor General Plan Amendment and rezoning for the Springs at Cooley Station. The subject site is approximately 15.27 gross acres located east of the northeast corner of Recker and Williams Field Roads. The hard corner will remain and Gateway Village Center is not part of this proposal. The current land use classification is Village Center (VC) and the Applicant is proposing Residential >14 - 25 DU/Acre. The current zoning designation is Gateway Village Center (GVC) with a PAD overlay and the proposal is for Multi-Family/Medium (MF/M) with a PAD overlay. The Applicant is proposing these amendments in order to build a 276-unit multi-family development.

The site is located within the Gateway Character Area and was annexed into the town in 2006 as part of the larger Cooley Station area. Ms. Bethel provided elevations as well as visuals showing what Cooley Station is envisioned to be. Orenco Station in Hillsboro, Oregon was one of the original inspirations for Cooley Station as a transit-oriented development with the ultimate vision having a central rail line. Recently approved developments in the area include a police station, apartments, multi-family, the Cooley Loop North apartments, Fincher Fields north of the subject site, and the Fry's development.

The Development Plan shows 10 buildings with a mix of two- and three-story buildings. Cooley Loop North will now be referred to as Haskell Street and the buildings have been pulled up to activate the street front. The maximum height proposed is approximately 38 feet with a density of 18 DU/Acre.

Four deviations are being requested with the PAD in order to achieve the streetfront presence. For reference, Ms. Bethel showed what the site would look like with the current GVC zoning with loft above which would have more reduced setbacks as opposed to multi-family. The requested setbacks are supported by staff in order to achieve the ultimate vision for this area. Elevations were provided for reference only.

Staff is seeking input on the Development Plan, the requested deviations and the land use change.

DISCUSSION:

Vice Chair Bloomfield stated Cooley Station has been a dream in the town for a very long time. It was slow going at the beginning and is now picking up speed. His preference would be not to change off of that vision drastically at this time. Development is hot and he suggested giving it time to mature. If the Applicant wants to modify and adjust to better fit the Cooley Station plan, he would highly encourage that. He was unsure whether he would be in favor of making a lot of wholesale changes at this point because we have held on for so long and

turned down other applications that did not work out. As far as the requested deviations, he would like to see the applicant better conform and felt there were not a lot of strengths to the project. For the Applicant to request such drastic changes with no benefits coming back to the town, he would not be in favor of all the deviations being requested.

Commissioner Torgeson was against the change completely and felt it was grabbing low-hanging fruit. He agreed with the comment to wait and let it mature. This can be what it was envisioned to be and he felt there was nothing special about the proposed project.

Commissioner Cavenee asked about the Applicant's motivation for moving to MF/M from the current zoning. Is it due to what the market will bear right now? How does staff feel?

Ms. Bethel stated the Applicant's motivation for this zoning change was to have a ground floor multi-family development. The Cooley Station area is intended to be more dense so staff is not opposed to a denser development within the area since that is part of the vision. They can do residential as stated before and the loft above is an option that is available in almost all of our commercial zoning districts, although many applicants shy away from commercial at the ground floor with residential above as they want a traditional ground floor multi-family.

Principal Planner Amy Temes advised that staff has been working quite a lot in the area of Cooley Station. The whole Village Center (HVC) has shifted to the southwest corner of Williams Field and Recker Roads and that is where the focus is with the commuter rail station. As that shifted, we are looking at possible redevelopment of the northeast corner to uses other than HVC, which has been refocused down in another quadrant. Staff is not necessarily opposed to multi-family in this location as long as the whole property does not go to multi-family. The town attorney is looking at the development agreement being modified at this time to reflect that. We are trying to stick with the vernacular and the intent of the Village area and not the Village Core or Village Center in this property and making sure it fits in with the overall Cooley area.

Commissioner Cavenee understood from that explanation that the areas for certain zoning designation have moved around and this is not an uncharacteristic component, given that we have already moved the Village Center component.

Ms. Temes stated that was correct. Multi-family was always a component of the Village area, whether it be loft above or stand alone. Staff is looking to make sure that the site plan meets with the intensity and density of what is envisioned in the area, being very streetscape-centric with pedestrian walkability and parking hidden behind, and focusing on bringing the people of the Village toward the Village Center which is at the southwest corner. She noted that even the Fry's development changed dramatically from where it started to incorporate and blend in with the overall theme of the area.

Commissioner Cavenee felt bringing residential to an area that is craving commercial can actually bring the rooftops that justify the commercial. The more we help build some of that population into the area, we can then hope for and expect the Village Center to pop. He was not necessarily opposed and stated he was generally for the request. Fitting in and having the right design is important as we want to keep it to a high standard and keep it very much pedestrian oriented. Given all that, he would be for the proposal as long as we hold them to a high standard on design. Referring to the Vice Chair's comments regarding the deviations, without more context as to why those are being requested, there is little constraint to the design right now. Can we not stay within these setbacks? Perhaps the Applicant can come back in a Regular Session with further details.

Ms. Temes stated order for some of these zoning categories that were not developed as Village Center to still be consistent with the Village or the area concept in a more neotraditional design, staff has encouraged developers to move as forward to the street as possible as utilities and other constraints will allow in order to bring the porches and the people forward. She advised that speeds will be reduced in the near future on Williams Field Road. There is still on-street parking and connectivity with a loop around so that if Williams Field were closed for an event, there are still other circulation routes available. We want the streets to be more traditional as seen

in Boston or other areas back East where there is a brownstone/townhome street-centric scape. Staff did encourage those reductions.

Commissioner Cavenee understood that the reductions were staff promoted and appreciated the explanation.

Chair Andersen was generally in support of the zoning change, and hearing the explanation on the setbacks, he would support that as well. Since the elevations of the building product were included, and having seen a slide of what has already been approved in the area, he did not see a connection between this design and the whole vernacular for Cooley Station. The images show a lot of red brick and he felt that type of language needs to carry over to this project to make the entire area cohesive. When this case comes back before the Planning Commission for the Design Review, he strongly recommends that the Applicant look at their design and try to incorporate some elements out of the Cooley Station designs into this area so that it will look like it fits in.

There were no further comments from the Commission.

4. Z19-11 LDC TEXT AMENDMENT: Citizen Review and initiation of amendment to the Town of Gilbert Land Development Code, Chapter I Zoning Regulations, Division 2 Land Use Designations, and Division 4 General Regulations, Article 4.5 Supplemental Use Regulations and Division 6 Use Definitions, Article 6.1 Use Definitions, related to the cultivation of industrial hemp. The effect of the amendment will be to restrict the growing, cultivation, processing, harvesting and/or transporting of industrial hemp.

Planner Keith Newman advised that on December 20, 2018, the federal Agricultural Improvement Act of 2018 was adopted, authorizing the growing or cultivation of industrial hemp and removing industrial hemp from Schedule I of the Controlled Substances Act. On May 14, 2018, Senate Bill 1098 was signed by Governor Ducey allowing for the commercial growth, cultivation, and marketing of industrial hemp as an agricultural product and directing the Arizona Department of Agriculture to adopt rules to oversee the licensing, production, and management of industrial hemp in Arizona. The Industrial Hemp Program was created and as of May 31 is now under way. Applications can be submitted to grow, cultivate and market industrial hemp. The federal and state laws did not remove local government authority to enact and enforce reasonable zoning regulations regarding commercial industrial hemp consistent with applicable laws.

Under the current Land Development Code, industrial hemp would be permitted as a commercial agricultural use classified as Crop Raising Commercial, and would be permitted in the SF-35 and SF-43 zoning districts. As of now, the town does not have any regulations for this use and staff is asking for feedback as to whether it is necessary to move forward with industrial hemp regulations. Staff is just starting this process and will conduct more research on industrial hemp and potential regulations if there is direction to move forward.

Staff is asking that the Planning Commission initiate a text amendment to the Land Development Code of Gilbert, Arizona Chapter I Zoning Regulations, Division 2 Land Use Designations, and Division 4 General Regulations, Article 4.5 Supplemental Use Regulations and Division 6 Use Definitions, Article 6.1 Use Definitions, related to the cultivation of industrial hemp.

DISCUSSION:

Commissioner Cavenee asked how industrial hemp growing would fit into the SF-35 and SF-43 residential zoning designations.

Mr. Newman stated there is currently nothing in our Code that prohibits someone from obtaining a license through the Arizona Department of Agriculture to grow, cultivate, market and transport industrial hemp and operate in the SF-35 and SF-43 zoning districts. No further restrictions or limitations would be placed on that use.

Commissioner Cavenee asked if the text amendment would limit the growing of industrial hemp in those zoning classifications.